

REMARKS

In this Amendment, Applicant amended Claims 4 and 8 to overcome the rejections and further specify the embodiments of the present invention; and amended the specification to correct certain informalities and rephrase certain expressions. It is respectfully submitted that no new matter has been introduced by the amended claims and specification. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 4 – 10 have been rejected under 35 U.S.C. § 103 as allegedly being obvious over Bi et al. (US 5,835,848), hereinafter Bi, further in view of Pravitz et al. (WO 9733381).

Applicant traverses the rejection and respectfully submits that the presently claimed invention is not anticipated by the cited references. More specifically, Claim 4 has been amended to include features that “said sensing element establishes amplification of the repeater as a function of the frequency; magnitude (MA) of harmonic variations is determined, said magnitude constituting a measure of the stability margin in that an increasing magnitude corresponds to a decreasing stability margin and vice versa.” Claims 5 – 10 also include these features due to their dependency on Claim 4. It is respectfully submitted that neither Bi nor Pravitz disclose or suggest the features as presently.

The differences between the present invention and Bi have been explained in the previous response. It is respectfully submitted that Pravitz only describes in very general terms the measurement of stability in the paragraphs cited by the Examiner. It does not specifically teach the feature of the sensing element establishing the amplification of the repeater as a function of the frequency and the relationship of magnitude with the stability margin.

According to MPEP 2143.01, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). According to MPEP 2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). It is respectfully submitted that there is no motivation to combine Bi with Pravitz, and even if they are combined, they will not lead a person of ordinary skill in the art to the present invention as currently defined.

In summary, the newly presented claims are not obvious over Bi in view of Pravitz and the rejection under 35 U.S.C. § 103 has been overcome. Accordingly, withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

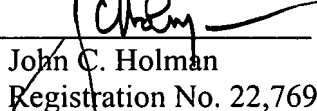
In addition, Applicant respectfully requests the Examiner to acknowledge and consider the Information Disclosure Statement that was filed together with the present application (copied from the parent application), and return the signed PTO-1449.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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